

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JAN 25 2007

JOHN F. CONCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

WILLIE JEROME HENRY,)	
Petitioner,)	Civil Action No. 7:07-cv-00036
)	
v.)	<u>FINAL ORDER</u>
)	
UNITED STATES OF AMERICA,)	By: Hon. Jackson L. Kiser
Respondent.)	Senior United States District Judge

In accordance with the memorandum opinion entered this day, the above-referenced motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. § 2255, shall be and hereby is **DISMISSED** without prejudice as successive.

Willie Jerome Henry is advised he may appeal this decision pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure by filing a notice of appeal with this court within 60 days of the entry of this order, or within such extended period as the court may grant pursuant to Rule 4(a)(5).

The Clerk is directed to send certified copies of this Order and the accompanying Memorandum Opinion to all parties.

ENTER: This 25th day of January, 2007.

[Signature]
Senior United States District Judge